

Assembly Bill No. 752

CHAPTER 560

An act to amend Section 94904 of the Education Code, relating to private postsecondary education.

[Approved by Governor October 7, 2015. Filed with
Secretary of State October 7, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 752, Salas. Private postsecondary education: California Private Postsecondary Education Act of 2009.

Existing law, the California Private Postsecondary Education Act of 2009, provides for the regulation of private postsecondary educational institutions by the Bureau for Private Postsecondary Education in the Department of Consumer Affairs. The act requires an institution that is subject to the act's provisions to enroll each student solely by means of executing an enrollment agreement, and requires a student without a high school diploma or its equivalent, before enrolling, to take an independently administered examination from a list of examinations prescribed as of July 1, 2012, by the United States Department of Education and achieve a passing score, as specified by the United States Department of Education. The act further authorizes the bureau to publish its own list of acceptable examinations and required passing scores if the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training.

This bill would require the bureau to review, on or before July 1, 2016, the list of examinations prescribed by the United States Department of Education as of the time of the review. If the bureau determines there is no examination on that list appropriate for students with limited English proficiency and without a high school diploma or its equivalent, the bill would require the bureau to approve an alternative examination for these students, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 94904 of the Education Code is amended to read: 94904. (a) Except as provided in subdivision (c), before an ability-to-benefit student may execute an enrollment agreement, the institution shall have the student take an independently administered examination from the list of examinations prescribed by the United States Department of Education pursuant to Section 484(d) of the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1070a et seq.). The student shall not

enroll unless the student achieves a score, as specified by the United States Department of Education, demonstrating that the student may benefit from the education and training being offered.

(b) If the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training, the bureau may publish its own list of acceptable examinations and required passing scores.

(c) The bureau shall, on or before July 1, 2016, review the list of examinations prescribed by the United States Department of Education. If the bureau determines there is no examination on the list appropriate for ability-to-benefit students with limited English proficiency, the bureau shall approve an alternative examination for these students. When approving the alternative examination, the bureau may consider the Comprehensive Adult Student Assessment System examination.